

## CHAPTER 2

### ARTICLE 16 — EMPLOYEE PERSONAL PROPERTY

*Revised – April 25, 2001*

#### **22070.1 Policy**

The Government Code (GC) and Department of Personnel Administration (DPA) Rules provide for reimbursement/replacement of personal property that is damaged or stolen in the course of employment.

#### **22070.2 Purpose**

This article outlines the process to be used by employees for obtaining reimbursement or replacement of personal property. If any content conflicts with bargaining unit agreements, the Memorandum of Understanding (MOU) prevails.

#### **22070.3 General Information**

The California Department of Corrections (CDC) is authorized to pay for the repair or replacement of damaged or stolen personal property worn or used by an employee in the course of employment. Personal property may include:

- Eye glasses.
- Dentures.
- Watches.
- Hearing aids.
- Prostheses.
- Clothing.
- Uniforms.
- Uniform items.
- Tools. (If written approval has been obtained from immediate supervisor.)

Personal property brought to the work place, which is not required for employment, shall not be considered a responsibility of CDC or the state. These items may include:

- Clocks.
- Radios.

- Calculators.
- Desk sets.
- Pictures.
- Jewelry, other than watches.
- Sunglasses.

Damage that is a result of normal wear during the course of duty is not compensable by the state.

Employees shall provide their supervisor with an inventory of all approved personal property used on the job.

In the event of stolen property, CDC shall decide between reimbursement or replacement; however, the employee's preference shall be considered in this decision.

#### **22070.4 Preparation of Claims**

Pursuant to the State of California Board of Control (BOC) claims authorization process, claims for repair or replacement of personal property, whether damaged or stolen, valued at less than \$300 shall be settled by/within each institution in the case of institutional employees, and through the Office of Financial Management (OFM) for those involving any other employee. Claims shall be submitted using CDC Form 892, Employee Claim for Loss or Damage to Personal Property.

Claims in excess of \$300 must be submitted to the BOC for approval. Additionally, claims involving stolen property, valued in excess of \$500, must also be approved by the DPA prior to being submitted to the BOC. (See DOM 22070.6 for further details.)

All claims involving stolen property shall be accompanied by an official incident or investigative report of the theft.

Each employee's claim shall include:

- The official report describing the incident which caused the damage or circumstances of the theft.
- Bill for repairs or, if damage is irreparable, the reasons it cannot be repaired and evidence of item's value at time of damage.

- In event of theft, a statement indicating that the value of property was verified by inspection of sales records, price lists, etc.
- Certification that:
  - Item was required by employment.
  - Loss or damage occurred at work site, work base, or en route between the two locations.
  - Loss or damage was not a result of carelessness or negligence.

#### **22070.5 Supervisor's Review of Claims**

The dollar amount of each claim shall determine the process by which reimbursement/replacement is obtained.

Approval of claims at the supervisor's level shall provide:

- Confirmation of employee's statement.
- Recommendation of reimbursement or replacement.
- Measures taken to prevent recurrence of such incidents.

#### **22070.6 Submission of Claims**

Claims under \$300 (institution employees):

- The employee submits CDC Form 892 and accompanying documents through the supervisor to the institution business office.
- The Warden or designee approves/disapproves the claim and if approved forwards to accounting office for filing in claims schedule.
- If determination is for reimbursement, accounting office submits the claim to the State Controller's Office (SCO) for audit and issuance of payment.
- If disapproved, the claim shall be returned to the employee by the Warden or designee.

Claims under \$300 (administration or field office employees).

- The employee submits CDC Form 892 and accompanying documents by supervisor and appropriate deputy/assistant director, to the Deputy Director, OFM for approval or disapproval.
- The Deputy Director, OFM or designee, approves/disapproves claim and if approved forwards it to Headquarters Accounting Office for appropriate disposition, and in turn to SCO for audit and disbursement.
- If disapproved, the Deputy Director, OFM shall return the claim to the employee.

Claims of \$300 and above (all employees):

- The employee submits CDC Form 892 and accompanying documents through chain of command to the Deputy Director, OFM.

- If approved, the Deputy Director, OFM or designee, shall forward the claim to the BOC for claims in excess of \$300, as well as to the DPA for stolen property claims in excess of \$500 for final approval/disapproval.
- When approved by the BOC/DPA, the claim shall be returned to the Deputy Director, OFM where it shall then be forwarded to the SCO by Headquarters Accounting Office for subsequent reimbursement.

Any claims that have been denied during this process may be resubmitted by the employee to the BOC for further determination/consideration. If denied at this level, the last avenue of appeal is through civil action.

#### **22070.7 Revisions**

The Deputy Director, OFM or designee shall ensure that the contents of this article are current.

#### **22070.8 References**

GC §§ 935.6(a), 19849.8 and 19850.6.

SAM § 8423.

DPA Rule 599.725.

ACA Standards 2-2030, 2-3082, 2-4065.